



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Paper No. 08

FEB 20 2002

Mark w. Triplett  
MCDONNELL, BOEHNEN,  
HULBERT & BERGHOFF  
300 SOUTH WACKER DRIVE, SUITE 3200  
CHICAGO, IL 60606

In re Application of:  
PESHKIN, *et al.* : DECISION ON PETITION  
Application No. 09/307,357 : TO WITHDRAW HOLDING  
Filed: May, 07, 1999 : OF ABANDONMENT  
Attorney Docket No.: 98.609 :  
/

This is a decision on the petition filed September 10, 2001, to withdraw the holding of abandonment of the above-identified application.

The petition is granted.

The application was held abandoned for failure to respond to the Office action mailed on December 12, 2000. A Notice of Abandonment was mailed on June 20, 2001.

Petitioner asserts that a response including a petition for extension of time of three months with the required fee and a response to the Office action of December 12, 2000, was mailed in the above-identified application on June 12, 2001. To support this assertion, petitioner has provided, *inter alia*, a copy of the response and a copy of a return postcard that properly identifies and acknowledges receipt of each of the above items by the United States Patent and Trademark Office (PTO) on June 14, 2001.

A review of the application file record reveals that the above-identified response was not associated with the application file at the time the Notice of Abandonment was mailed but has since been matched therewith. The response of record bears a Certificate of Mailing under 37 CFR 1.8(a) showing a date of deposit with the United States Postal Service on June 12, 2001. Accordingly, the response is considered timely.

For the above-stated reasons, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the examiner for appropriate action, including

consideration of the response received by the Office on June 14, 2001.

Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (703) 308-2260.



---

Edward J. Glick, Special Programs Examiner  
Technology Center 2800  
Semiconductors, Electrical and Optical  
Systems and Components

EJG:lmm